

Los Alamos National Laboratory ³/₄ Supplemental Instructions

Section: 42 Subcontract Administration

Subject: 42.1 University Technical Representatives

PURPOSE: This Supplemental Instruction (SI) defines when a University technical representative (UTR) should be appointed, the duties and responsibilities of a UTR, and the procurement specialist's responsibilities toward a UTR.

POLICY: University technical representatives shall be appointed and formally delegated the authority to serve as technical liaison for a subcontract and to ensure the effective management of the subcontract on behalf of the University.

SCOPE: This SI applies to all complex, research and development, and services subcontracts exceeding the small purchase threshold that require active and continuing surveillance. The SI also applies to work releases and task orders for the above subcontracts that exceed the small purchase threshold.

DEFINITIONS:
**University
Technical
Representative** A University technical representative is an individual who has been authorized in writing by the procurement specialist to perform specified technical or administrative oversight for a specific subcontract.

PROCEDURES:
**Determination of
Need** The procurement specialist is responsible for all of the administrative and contractual duties described in SP 42.1, *Subcontract Administration*. A UTR may be appointed when continuing technical or administrative oversight of the following nature is required:

- Monitoring performance;
- Providing technical guidance;
- Assuring that on-site safety and security requirements are being satisfied;
- Reviewing subcontractor reporting requirements such as progress reports, shop plans, and blueprints;
- Informing the procurement specialist of any technical or contractual difficulties encountered during performance in a timely manner;
- Evaluating proposals for and participating in negotiation of changes, modifications, and claims at the request of the procurement specialist; and

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If required by the subcontract, performing final inspection and/or acceptance of all work including the review and/or approval of reports.

Assignment of UTR

The UTR must be formally appointed in a written Letter of Delegation (see Exhibit 42.1.a.). The procurement specialist must meet with the UTR to convey his/her specific responsibilities under the subcontract and to ensure that the UTR understands the limits of his/her authority. Copies of the Letter must be provided to the UTR and the subcontractor, and a copy must be retained in the subcontract file.

Qualifications of UTR

UTRs must be

- Qualified by training or experience (see "UTR Training," below) and
- A University employee, unless this requirement is waived by the procurement team leader.

Limits of Authority

A UTR may not be delegated authority to make any commitments or changes that affect price, quality, delivery or other terms and conditions of the subcontract. Specifically, the UTR shall not be authorized to

- Execute a subcontract on behalf of the Laboratory;
- Direct any changes to a subcontractor;
- Grant deviations from or waive any of the terms and conditions of a subcontract;
- Encourage a subcontractor to perform additional work in advance of a change by the procurement specialist;
- Encourage a subcontractor to perform any work without funds; or
- Change the period of performance of any subcontract.

The UTR may not re-delegate his/her authority without approval and authorization of the procurement specialist. If the UTR exceeds his/her authority, the procurement specialist may withdraw the UTR's authority after coordinating the action with the procurement team leader.

Responsibilities Of

A UTR's responsibilities must be clearly defined in the Letter of

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The UTR

Delegation. These responsibilities may include

- Reviewing the statement of work (SOW) for requirements and the specific obligations of the subcontractor;
- Monitoring subcontractor performance against the SOW including delivery requirements, costs incurred, and estimated level of effort;
- Providing technical guidance (not direction) within the scope of the subcontract;
- Maintaining file copies of all correspondence providing technical guidance to the subcontractor;
- Documenting questions asked by and answers provided to the subcontractor;
- Ensuring that the subcontractor provides formal proposals for contemplated changes;
- Notifying the procurement specialist immediately of any noncompliance and working with the procurement specialist and subcontractor to remedy the situation;
- Monitoring the subcontractor's submission of required reports and submittals and recommending approval/disapproval to the procurement specialist;
- Reviewing and approving or disapproving the subcontractor's invoices;
- Maintaining a record of all subcontract administration activities that are under the UTR's purview; and

Providing reports on the subcontractor's performance to the procurement specialist.

UTR Training

In order to perform the assignment, the UTR must complete the University technical representative training. If a UTR has previous experience in this regard, the procurement team leader may waive this requirement. The Procurement Group Office will offer UTR training on a regular basis. A UTR may oversee a subcontract prior to attending the course, only if the procurement team leader approves such action and if the UTR is registered to attend the next available training session.

RESPONSIBILITIES: Procurement

The procurement specialist must

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Specialist

- Review every subcontract, task order, or work release covered under *Scope*, above, to determine if a UTR should be appointed;
- Document the rationale for the decision in the subcontract file;
- Ensure that the UTR is qualified, has completed the training requirements, and understands his/her responsibilities;
- Issue a Letter of Delegation to the UTR;
- Provide copies of the Letter of Delegation to the UTR and the subcontractor, and retain a copy in the subcontract file;
- Meet with the UTR to discuss specific responsibilities under the subcontract and to ensure that the UTR understands the limits on his/her authority; and
- Withdraw a UTR's authority after coordinating the action with the procurement team leader.

UTR

The UTR must

- Perform his/her responsibilities in accordance with the Letter of Delegation;
- Complete the training requirements, unless waived; and
- In no way make any commitments or changes that affect price, quality, delivery or other terms and conditions of the subcontract.

Procurement Team Leader

The procurement team leader

- Must approve all appointments of UTRs who are not University employees;
- May approve an appointment of a UTR conditioned upon attendance at the next available University technical representative training session; and
- May waive the requirement for a UTR to attend the University technical representative course if justified because of the UTR's previous experience.

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